

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	: DATE FILED: June 1, 2004
v.	: CRIMINAL NO. 04-191
ABDUL SALAMEH	: VIOLATIONS: 18 U.S.C. § 371 (conspiracy - 3
LORI WAIWADA	counts)
MOSTAFA JAWHAR	: 18 U.S.C. § 1546 (making false
KHITEM HARROUM	statements in immigration
	documents - 3 counts)
	: 18 U.S.C. § 2 (aiding and
	abetting)

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. The Immigration and Naturalization Service ("INS"), now known as the Department of Homeland Security, Bureau of Immigration and Customs Enforcement, was an agency of the United States Government.
2. The INS had responsibility for granting lawful permanent resident status to aliens, that is, persons who were not citizens of the United States.
3. Aliens who were married to United States citizens were eligible to obtain permanent resident status.
4. In order for an alien who was the spouse of a United States citizen to gain permanent resident status, such alien and his United States citizen spouse were required to submit documents to the INS and appear for a personal interview before an INS examiner.

5. A form titled “Form I-485, Application to Register Permanent Resident or Adjust Status” was a form filled out by an alien or his representative and sworn to by the alien before the interview described in paragraph 4 of this Count.

6. A Form I-130, titled “Petition for Alien Relative,” was a form filled out and sworn to by an alien’s United States citizen spouse before the interview described in paragraph 4 of this Count.

7. A “Biographic Information” form was a form filled out and sworn to by an alien before the interview described in paragraph 4 of this Count.

8. The INS utilized and relied upon the representations made by an alien and his or her United States citizen spouse in their Forms I-485 and I-130 and Biographic Information form to schedule oral interviews, at their oral interview, and in determining whether to grant the alien’s application for lawful permanent resident status.

9. Defendant ABDUL SALAMEH was a Jordanian citizen who lived in Harrisburg, Pennsylvania.

10. Defendant LORI WAIWADA was a United States citizen who lived in Harrisburg, Pennsylvania.

11. Beginning on a date unknown to the grand jury, but at least from on or about December 2000, to on or about May 27, 2003, in the Eastern District of Pennsylvania and elsewhere, defendants

ABDUL SALAMEH and
LORI WAIWADA

conspired and agreed together and with Mostafa Jawhar and Khitem Harroum, charged

elsewhere, and other persons known and unknown to the grand jury, to knowingly enter into marriages for the purpose of evading immigration laws; to knowingly make false statements with respect to material facts in applications, affidavits, and other documents required by the immigration laws or regulations; and to knowingly present applications, affidavits, and other documents which contained false statements under penalty of perjury, in violation of Title 8, United States Code, Section 1325(c) and Title 18, United States Code, Section 1546.

MANNER AND MEANS

12. Defendant ABDUL SALAMEH agreed to assist aliens to remain in the United States by offering them the opportunity to obtain social security cards or arranging fraudulent marriages between the aliens and United States citizens so that the aliens could then present documents to the INS and obtain permanent resident status.

13. Defendants ABDUL SALAMEH and LORI WAIWADA introduced aliens to United States citizens and arranged their fraudulent marriages.

14. Defendant LORI WAIWADA attended and participated in the fraudulent marriage ceremonies.

15. Defendant ABDUL SALAMEH advised aliens about what documents would be required to be submitted to the INS so that the aliens could permanent resident status.

16. Defendants ABDUL SALAMEH and LORI WAIWADA arranged the fraudulent marriages between Mostafa Jawhar and A.E. and Khitem Harroum and M.L.S. so that Mustafa Jawhar and Chitem could obtain permanent resident status.

17. Defendant LORI WAIWADA engaged in a fraudulent marriage with R.Q. so that R.Q. could obtain permanent resident alien status.

18. Defendant LORI WAIWADA filled out a Form I-130, "Petition for Alien Relative," in which she falsely represented that she was married to and resided with R.Q.

19. Defendant LORI WAIWADA mailed the Form I-130, a marriage license and marriage certificate to the INS Office in Philadelphia, Pennsylvania.

20. Defendant LORI WAIWADA agreed to appear with R.Q. for a personal interview before an INS examiner.

OVERT ACTS

In furtherance of the conspiracy, defendants ABDUL SALAMEH and LORI WAIWADA, and Mostafa Jawhar and Khitem Harroum, charged elsewhere, and other persons known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. In or about December 2000, ABDUL SALAMEH asked defendant LORI WAIWADA if she had any female friends who were United States citizens who would marry some of his friends who were foreign nationals so that they could get their "green cards" and remain in the United States.

Jawhar Marriage

2. In or about December 2000, defendants ABDUL SALAMEH and LORI WAIWADA offered A.E. money, an apartment, and a car if she would marry a foreign national and assist him in getting a "green card" and other documents from the INS by filling out paperwork and going to an interview at the INS in Philadelphia, Pennsylvania so that the foreign national could remain in the United States.

3. In or about December 2000, defendants ABDUL SALAMEH and LORI

WAIWADA introduced Mostafa Jawhar to A.E as the man she was going to marry. During the introduction and a meeting that followed, defendant ABDUL SALAMEH interpreted what was being said for Mostafa Jawhar who did not speak English. During the meeting, defendants ABDUL SALAMEH and LORI WAIWADA explained to Mostafa Jawhar and A.E. what documents they would have to complete prior to and after the marriage ceremony.

4. On or about March 11, 2001, at a ceremony arranged by defendants ABDUL SALAMEH and LORI WAIWADA, Mostafa Jawhar married A.E. at an Islamic center in Harrisburg, Pennsylvania. Defendant LORI WAIWADA attended and participated in the marriage ceremony.

Harroum Marriage

5. In or about December 2000, defendants ABDUL SALAMEH and LORI WAIWADA offered M.L.S. money, an apartment, and a car if she would marry a foreign national and assist him in getting a “green card” and other documents from the INS by filling out paperwork and going to an interview at the INS so that the foreign national could remain in the United States.

6. In or about May 2001, defendant ABDUL SALAMEH told M.L.S. that she would receive \$1,000 when she got married, another \$1,000 after each of three visits that she would have to make to the INS for interviews, and still another \$1,000 after the foreign national obtained his “green card,” for a total of \$5,000.

7. In or about June 2001, Abdul Salameh and Lori Waiwada introduced defendant KHITEM HARROUM to M.L.S. During a meeting that followed the introduction, Abdul Salameh and defendant KHITEM HARROUM discussed the marriage that would take

place between defendant KHITEM HARROUM and M.L.S.

8. On or about July 5, 2001, at a ceremony arranged by defendants ABDUL SALAMEH and LORI WAIWADA, Khitem Harroum married M.L.S. at an Islamic center in Harrisburg, Pennsylvania. Defendant LORI WAIWADA attended and participate in the marriage ceremony.

R.Q. Marriage

9. On or about July 13, 2002, defendant ABDUL SALAMEH offered to assist R.Q., an alien whose visa had expired, obtain a social security card and other documents that would allow R.Q. to maintain his employment, remain in the United States, and obtain permanent resident alien status.

10. On or about August 22, 2002, defendant ABDUL SALAMEH offered to arrange a marriage between R.Q. and a United States citizen in order for R.Q. to obtain permanent resident alien status for \$5,000.

11. On or about December 3, 2002, defendant ABDUL SALAMEH introduced R.Q. to defendant LORI WAIWADA as the United States citizen that R.Q. was going to marry in order for him to obtain permanent resident alien status.

12. On or about December 3, 2002, R.Q. and defendant LORI WAIWADA obtained a marriage license.

13. On or about December 3, 2002, defendants ABDUL SALAMEH and LORI WAIWADA and R.Q. discussed the arrangements for the fraudulent marriage. During the meeting, defendant ABDUL SALAMEH demanded \$3,000 and defendant LORI WAIWADA told R.Q. that her “cut” was going to be \$1,000.

14. On or about December 17, 2002, defendant LORI WAIWADA and R.Q. engaged in a phony marriage ceremony in the Mayor's Office in Ephrata, Pennsylvania.

15. On or about December 17, 2002, following the marriage ceremony, defendant LORI WAIWADA agreed to meet with R.Q. to fill out paperwork for the INS.

16. On or about February 4, 2003, defendant LORI WAIWADA met with R.Q. and filled out INS forms, including a Form I-130, "Petition for Alien Relative," in which she falsely represented that she and R.Q. were married and lived together in Lancaster, Pennsylvania.

17. On or about April 24, 2003, defendant LORI WAIWADA mailed and caused the mailing of INS forms, including a "Petition for Alien Relative," from Lancaster, Pennsylvania to "INS, 1600 Callow Hill St., Phila, PA 19130."

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 10 and 12 through 16 of Count One are realleged here.

2. Defendant MOSTAFA JAWHAR was a Moroccan citizen who lived in New Cumberland, Pennsylvania. He entered the United States on a non-immigrant visitor visa on November 14, 2000. His authorized stay in the United States ended on May 13, 2001. His alien registration number was 78-763-186.

3. Beginning on a date unknown to the grand jury, but at least from in or about December 2000, to on or about June 17, 2003, in the Eastern District of Pennsylvania and elsewhere, defendant

MOSTAFA JAWHAR

conspired and agreed with Abdul Salameh and Lori Waiwada, charged elsewhere, and other persons known and unknown to the grand jury, to knowingly enter into a marriage or arrange a marriage for the purpose of evading immigration laws; to knowingly make false statements or cause false statements to be made with respect to a material fact in an application, affidavit, or other document required by the immigration laws or regulations; and to knowingly present or cause to be presented an application, affidavit, or other document which contains false statements under penalty of perjury, in violation of Title 8, United States Code, Section 1325(c) and Title 18, United States Code, Section 1546.

MANNER AND MEANS

4. Abdul Salameh and Lori Waiwada introduced defendant MOSTAFA

JAWHAR to A.E., a female United States citizen for him to marry, assisted defendant MOSTAFA JAWHAR in obtaining a marriage license, and participated in the marriage ceremony between defendant MOSTAFA JAWHAR and A.E.

5. Defendant MOSTAFA JAWHAR married A.E. and presented and caused to be presented false statements about the marriage to the INS to evade immigration laws.

OVERT ACTS

In furtherance of the conspiracy, defendant MOSTAFA JAWHAR and Abdul Salameh and Lori Waiwada, and other persons known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. In or about December 2000, Abdul Salameh and Lori Waiwada introduced defendant MOSTAFA JAWHAR to A.E. as the man she was going to marry. During the introduction and a meeting that followed, Abdul Salameh interpreted what was being said for defendant MOSTAFA JAWHAR who did not speak English. During the meeting, Abdul Salameh and Lori Waiwada explained to defendant MOSTAFA JAWHAR and A.E. what documents they would have to complete prior to and after the marriage ceremony.

2. On or about March 11, 2001, at a ceremony arranged by Abdul Salameh and Mostafa Jawhar, defendant MOSTAFA JAWHAR married A.E. at an Islamic center in Harrisburg, Pennsylvania.

3. On or about April 26, 2001, defendant MOSTAFA JAWHAR presented and caused to be presented a "Form I-485, Application to Register Permanent Resident or Adjust Status" to the INS office in Philadelphia, Pennsylvania.

4. On or about April 26, 2001, defendant MOSTAFA JAWHAR presented

and caused to be presented a Form I-130, "Petition for Alien Relative," to the INS office in Philadelphia, Pennsylvania, in which it was falsely represented that defendant MOSTAFA JAWHAR and A.E. were married and lived together at 1021 Swarthmore Road, New Cumberland, Pennsylvania.

5. On or about June 17, 2003, defendant MOSTAFA JAWHAR and A.E. appeared at the INS office in Philadelphia, Pennsylvania for an interview.

All in violation of Title 18, United States Code, Section 371.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 10 of Count One and paragraphs 2, 4 and 5 of Count Two are realleged here.

2. On or about April 26, 2001, in Philadelphia, in the Eastern District of Pennsylvania, defendants

ABDUL SALAMEH
LORI WAIWADA and
MOSTAFA JAWHAR

knowingly presented and aided and abetted the presentation of a Form I-130, "Petition for Alien Relative," containing false statements with respect to material facts, in that the defendant MOSTAFA JAWHAR represented and caused to be represented in the form that he and A.E. were married and resided at the same address, whereas, in truth and in fact, as the defendant MOSTAFA JAWHAR then and there well knew, that he and A.E. engaged in a phony marriage in order to evade immigration laws and defendant MOSTAFA JAWHAR and A.E. did not reside at the same address as husband and wife.

In violation of Title 18, United States Code, Sections 1546 and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 10 and 12 through 16 of Count One are realleged here.

2. Defendant KHITEM HARROUM was a Tunisian citizen who lived in Harrisburg, Pennsylvania. He entered the United States on a non-immigrant visitor visa on July 26, 2000. His authorized stay in the United States ended on January 25, 2001. His alien registration number was 78-498-616.

3. Beginning on a date unknown to the grand jury, but at least from in or about April 2001, to on or about October 16, 2002, in the Eastern District of Pennsylvania and elsewhere, defendant

KHITEM HARROUM

conspired and agreed with Abdul Salameh and Lori Waiwada, charged elsewhere, and other persons known and unknown to the grand jury to knowingly enter into a marriage or arrange a marriage for the purpose of evading immigration laws; to knowingly make false statements or cause false statements to be made with respect to a material fact in an application, affidavit, or other document required by the immigration laws or regulations; and to knowingly present or cause to be presented an application, affidavit, or other document which contains false statements under penalty of perjury, in violation of Title 8, United States Code, Section 1325(c) and Title 18, United States Code, Section 1546.

MANNER AND MEANS

4. Abdul Salameh and Lori Waiwada introduced defendant KHITEM

HARROUM to M.L.S., a female United States citizen for him to marry, assisted defendant KHITEM HARROUM in obtaining a marriage license, and participated in the marriage ceremony between defendant KHITEM HARROUM and M.L.S.

5. Defendant KHITEM HARROUM married M.L.S. and presented and caused to be presented false statements about the marriage to the INS to evade immigration laws.

OVERT ACTS

In furtherance of the conspiracy, defendant KHITEM HARROUM and Abdul Salameh and Lori Waiwada, and other persons known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. In or about June 2001, Abdul Salameh and Lori Waiwada introduced defendant KHITEM HARROUM to M.L.S. During a meeting that followed the introduction, Abdul Salameh and defendant KHITEM HARROUM discussed the marriage that would take place between defendant KHITEM HARROUM and M.L.S.

2. On or about July 5, 2001, at a ceremony arranged by Abdul Salameh, Lori Waiwada and defendant KHITEM HARROUM, defendant KHITEM HARROUM married M.L.S. at an Islamic center in Harrisburg, Pennsylvania.

3. On or about July 5, 2001, following the marriage ceremony, defendant KHITEM HARROUM gave M.L.S. \$1,000.

4. On or about March 4, 2002, defendant KHITEM HARROUM presented and caused to be presented a Form I-130, "Petition for Alien Relative," to the INS office in Philadelphia, Pennsylvania, in which it was falsely represented that defendant KHITEM HARROUM and M.L.S. were married and lived together at 515 N. 2d Street, Harrisburg,

Pennsylvania.

5. On or about October 16, 2002, defendant KHITEM HARROUM presented and caused to be presented a “Form I-485, Application to Register Permanent Resident or Adjust Status” and a Biographic Information form to the INS office in Philadelphia, Pennsylvania.

6. Defendant KHITEM HARROUM and M.L.S. attended a hearing at the INS office in Philadelphia, Pennsylvania. After the hearing, defendant KHITEM HARROUM gave M.L.S. \$20 and refused to give her any more because she “didn’t do nothing.”

All in violation of Title 18, United States Code, Section 371.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 10 of Count One and paragraphs 2, 4 and 5 of Count Four are realleged here.

2. On or about March 4, 2002, in Philadelphia, in the Eastern District of Pennsylvania, defendant

ABDUL SALAMEH
LORI WAIWADA and
KHITEM HARROUM

knowingly presented and aided and abetted the presentation of a Form I-130, "Petition for Alien Relative," containing false statements with respect to material facts, in that the defendant KHITEM HARROUM represented and caused to be represented in the form that he and M.L.S. were married and resided at the same address, whereas, in truth and in fact, as the defendant KHITEM HARROUM then and there well knew, that he and M.L.S. engaged in a phony marriage in order to evade immigration laws and defendant KHITEM HARROUM and M.L.S. did not reside at the same address as husband and wife.

In violation of Title 18, United States Code, Sections 1546 and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 10, 12 through 15, and 17 through 20 of Count One are realleged here.

2. On or about April 25, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendants

ABDUL SALAMEH and
LORI WAIWADA

knowingly presented and aided and abetted the presentation of a Form I-130, "Petition for Alien Relative," containing false statements with respect to material facts, in that the Form I-130 stated that defendant LORI WAIWADA and R.Q., an alien, were married and resided at the same address, whereas, in truth and in fact, as the defendant then and there well knew, defendant LORI WAIWADA and R.Q. engaged in a phony marriage in order to evade immigration laws and defendant LORI WAIWADA and R.Q. did not reside at the same address and had never done so.

In violation of Title 18, United States Code, Sections 1546 and 2.

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
United States Attorney